

Remarks

Drawings

The drawings were objected to because the reference number 56 was not included in the drawings and the reference number 74 was used to depict both a bus and a BIOS. Figure 3 has been amended to include reference number 56 to depict a bus and to remove one of the reference numbers 74. Thus, the objections to the drawings should be overcome.

Specification

The drawings were also objected to because they did not have the reference number 76a as shown in Figure 7. The specification has been amended to add 76a as reference number. Thus, the objection to the drawing should be overcome.

Claim Rejections – 35 U.S.C. § 103(a)

Claims 1-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Zigmond in view of Dedrick.

Independent claim 1 calls for allowing the use of a content on a content receiver, automatically interrupting the use of the content, enabling the receiver to temporarily replace the content with advertising, identifying content used on the receiver and advertising inserted by the receiver, and collecting information to enable a credit to content providers for inserted advertising.

Zigmond fails to disclose identifying advertising inserted by a receiver, and collecting information to enable a credit to content providers for inserted advertising. *See* Office action, page 5. Dedrick fails to cure the deficiencies of Zigmond.

First, Dedrick fails to disclose a receiver that temporarily replaces content with advertising or that inserts advertising. In fact, Dedrick generally treats publisher-supplied information and advertiser-supplied advertising separately, without the use of the publisher's information being interrupted to temporarily replace it with an advertisement. *See* Figures 6 and 7; column 17, line 35-column 19, line 12. Dedrick does disclose one

situation where a publisher's account may be credited when an advertisement generated by advertiser is viewed by the end user. *See* column 15, lines 37-46. In this *limited* circumstance, the advertising information is associated with the publisher's information, and the publisher sends the electronic information. *Id.* In a non-electronic setting this association is like reading an advertisement in a newspaper. Thus, even in this limited circumstance, Dedrick does not teach or suggest inserting an advertisement at the receiver much less *identifying* an advertisement inserted by a receiver.

Second, because Dedrick fails to disclose a receiver that temporarily replaces content with an advertisement, Dedrick also fails to disclose collecting information to enable a credit to the content providers for the inserted advertising. In other words, if Dedrick's receiver does not replace content with an advertisement then there is no identification of an advertisement inserted by a receiver or collection of information for the *inserted* advertising. As explained above, the advertising is associated with the publisher's electronic information and the publisher provides or sends both—much like an ad in a conventional newspaper. Also, Dedrick does not teach or suggest advertisement association with the publisher electronic information based on the end user's profile determined by Dedrick. In other words, the advertisement is associated with the publisher's information because the advertiser chooses the association regardless of the end user's profile that is determined by Dedrick.

Third, because Dedrick does not interrupt the use of content to temporarily replace the content with an advertisement much less contemplate a way to identify receiver-inserted advertisements, Dedrick also does not provide a means for crediting content providers for the *inserted* advertisement. As such, *prima facie* obviousness has not been established with respect to claim 1.

Because Zigmond and Dedrick fail to disclose every limitation of independent claim 1 alone or in combination, claim 1 and claims dependent thereon are patentable.

Under a similar analysis, *prima facie* obviousness has not been established with respect to independent claims 11 and 21 and respective dependent claim; hence all claims in the application are believed to be patentable.

In consideration of the remarks and amendments herein, the application is believed to be in condition for allowance. The examiner's prompt action in accordance therewith is respectfully requested. The commissioner is authorized to charge any additional fees, including extension of time fees, or credit any overpayment to Deposit Account No. 20-1504(ITL.0511US).

Respectfully submitted,

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